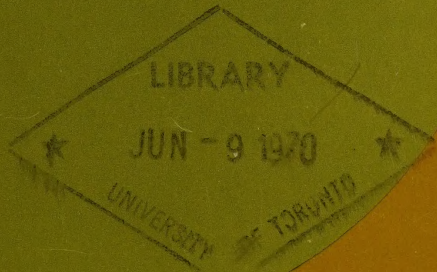
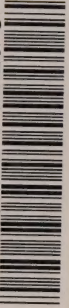



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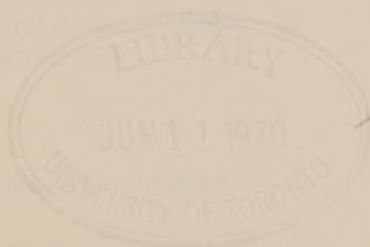
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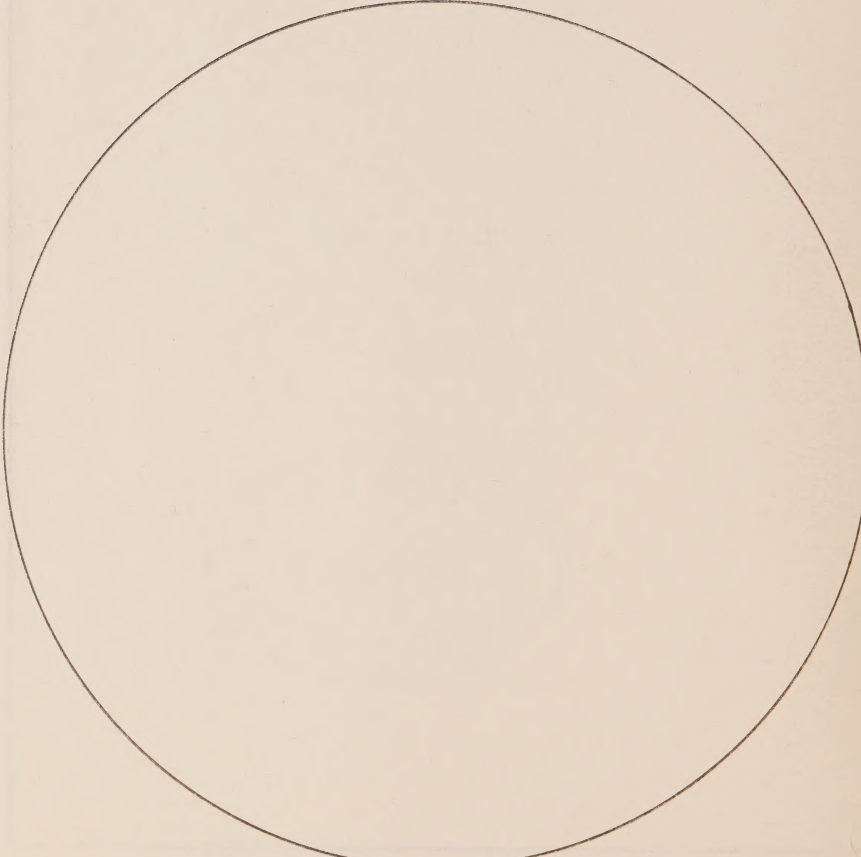
Canadian System of Government

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Secretary of State
Ottawa, 1970

Canadian
System
of
Government



Canadian System of Government is a revision of
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Table of Contents

Chapter 1 **Background and Basic Rights**

Basic Freedoms	6
Language Rights	9
Representative Government	10
Three Levels of Government	10

Chapter 2 **Federal Government**

Federal Elections	13
Parliament of Canada	15
Executive Branch	16
Legislative Branch	16
How Bills are Passed	19
The Judiciary	20
The Public Service	20
Federal Responsibilities	21
Taxation	23

Chapter 3 **Provincial Government**

Structure of Government	25
Functions of the Legislature	27
The Public Service	27
Provincial Responsibilities	28
Federal-Provincial Conferences	30

Chapter 4 Municipal Government

Formation of Municipalities	31
Types of Municipalities	32
Municipal Elections	33
Duties of Municipal Officers	34
Meetings of Council	35
Powers of Municipal Councils	36
Sources of Revenue	36
Appointed Municipal Officers	37
School Boards	38

Chapter 5 The Judiciary

Laws in Canada	39
Courts of Law	40
Law Enforcement	42

Suggested Reading	45
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Index	51
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Chapter 1

Background and Basic Rights

The Canadian system of government has been shaped by many forces. The historic political traditions of western Europe, the habits of the peoples who settled in the country, the early colonial status of Canada, and the presence of a dynamic society to the south were among these influences, added to and altered by the Canadian environment.

The greater part of the form of government was based on British law, traditions and habits of mind, including the principle that the citizenry has a right to representative political institutions. The political and cultural traditions of France which found expression in Quebec not only affected the government of that province but also had an influence on the nature of the federal government created in 1867. Similarly, the experiences of the United States, especially in governing a large country, were examined and considered by Canadians.

Some of the principles on which government in Canada is conducted are written down in the British North America Act—the Act of Confederation which created the Dominion of Canada. This document outlined certain parts of the federal government, described the distribution of power between Dominion and provincial governments, and established the right to use the English and French languages in the federal Parliament, in the legislature of Quebec and in courts in Canada.

There are, however, many principles of government which were not included in the BNA Act. In order to

understand the Canadian system of government, therefore, it is necessary to consider the "unwritten constitution". This includes court interpretations and acts of Parliament, habitual and informal practices such as the operation of political parties and the exercise of executive authority, and the principles of common law as defined by the courts.

An important part of the common law is the notion that there are certain fundamental "rights" or "freedoms" which should be enjoyed by all. These rights have, over many years, been gradually accepted as rights which cannot be violated by anyone, including the government.

In 1960 some of these rights received formal recognition when the Canadian Bill of Rights was passed by Parliament. However, the new Bill of Rights is not entrenched in the constitution, nor does it affect the power of the provinces in the field of civil rights. Increasingly, many of these rights are receiving the full protection of the law in the provinces.

Basic Freedoms

(a) *Due process of law*

This is perhaps the most important right guaranteed in the Bill of Rights. Basically, this means that a person is free from arbitrary or unwarranted arrest and has the right to a fair trial. The police must always inform a person of the reason for his arrest. The accused has the right to seek the advice and assistance of a lawyer, and, in most cases, is allowed to have bail. If he cannot secure a lawyer, the court, in most provinces, appoints one to defend him. He must be brought to trial within a reasonable time. In most cases, the accused person can elect to be tried either by a judge or by a judge and jury. During a trial, the proceedings are based on the fundamental assumption that every man must be presumed innocent until proved guilty.

(b) Freedom of religion

Every person is free to hold any religious beliefs and express them as he sees fit.

(c) Freedom of speech

Every person in Canada has the right to state his opinions freely and openly on all public matters without fear of being punished or interfered with by the police, government officials, or any other person. This freedom is limited by laws which declare it illegal to make false statements that would damage the reputation of an individual, or to make statements which incite others to violent rebellion.

(d) Freedom of the press

As in the case of persons, newspapers and radio and television stations of Canada are free to express their views on all public questions without fear of interference from any source, although they are also subject to the limitations applied to freedom of speech. Canadian newspapers are not owned or controlled by the state. In addition to privately owned radio and television stations, there are publicly owned radio and television networks. The Canadian Broadcasting Corporation is a relatively autonomous body over which the government cannot exercise political control. The Canadian Radio-Television Commission is the licensing and regulatory authority for all broadcasting in Canada.

(e) Freedom of movement

Every person in Canada is free to travel throughout the country without hindrance. A person can live in any city, town, village, or rural district that he may choose, and may change his place of residence as often as he wishes.

(f) Freedom of association and assembly

Individuals are free to assemble

peaceably in large or small groups, and to form associations for common objectives. Every citizen has the right, therefore, to join and participate actively in the program of a political party. He may accept any political office and share fully in all programs or campaigns conducted by his party. The major limitation on this freedom applies to individuals who work for the government. Civil servants are generally not permitted to be actively involved in political parties, in order to avoid a possible conflict of interest between party loyalties and the demands for an independent, non-partisan civil service.

*(g) Freedom from discrimination
on the basis of race, religion or
colour*

No person has the right to discriminate against another, on racial or religious grounds, in such activities as hiring people for jobs, renting rooms or selling property. Some provinces have enacted anti-discrimination laws which apply to various activities, especially employment practices.

(h) Freedom of enterprise

Everyone is free to work at any job, trade or profession he selects and for which he is qualified. However, there are certain restrictions provided by law. In order to engage in certain professions, such as medicine, law or architecture, a person must pass examinations and obtain a permit.

(i) Freedom of private property

Any person is entitled to buy and own property. No other person may seize, trespass upon, or enter another person's property without the consent of the owner. An officer of the law in possession of a warrant may, of course, enter and search a property in the performance of his duties.

(j) Freedom to participate in government

Every citizen has the right to make his own political choice and to vote for the candidate whom he prefers. He is also entitled to be a candidate himself.

There is a growing insistence in modern society that to these basic rights should be added freedom from want and insecurity, the right to employment, health, education and leisure.

Language Rights

Basic human rights are generally accepted throughout the world and they are entrenched in the charter of the United Nations. However, of particular concern in Canada is the area of language rights.

Programs to encourage bilingualism are of long standing, taking into account the two main linguistic and cultural groups, French and English. A new effort in this direction began with the creation of the Royal Commission on Bilingualism and Biculturalism in 1963.

In September, 1969, the Official Languages Act came into force, giving the French and English languages equal status for all purposes of the Parliament and Government of Canada. What was often customary in the past has now become the legal right of Canadian citizens.

The Official Languages Act was based on a careful study of the needs of Canadians of both major linguistic communities. Its main purpose is to provide a foundation for equal rights and privileges in order that people will be able to use either English or French in communicating with the federal government and its agencies.

Many other languages are spoken in Canada, both by new Canadians from other countries and by Canadians whose families have been in Canada for several generations but whose origins are other than British or French.

A clause is included in the Official Languages Act, stating specifically that the existing rights or privileges of other languages, whether they have been established by law or by custom, are not to be restricted in any way by this legislation.

Representative Government

The right of the citizen to participate in the legislative process formed a part of the political traditions of the people who settled in Canada. Over the years, this right has been developed and extended.

Canada has a representative system of government, whereby the people govern themselves through chosen representatives. The basic principle underlying the method of choosing a representative government is majority rule. The votes of all citizens are considered to be of equal value. The candidate receiving the largest number of votes is declared elected.

The democratic principle of government encourages the existence of more than one political party. This allows individuals who think alike on public issues to join together so as to give more weight to their views. At the same time, individuals in a political party are able to present a program to the voters, thereby indicating what policies they will pursue if their party receives the largest number of seats in Parliament. Political parties operate at both the federal and provincial levels of government. They are less common in municipal politics in Canada.

Three Levels of Government

In 1867 the British North America Act outlined the distribution of legislative power in Canada. It provided for a federal government to deal

with such matters as were common to the whole country, and four provincial governments to conduct matters of interest to the provinces themselves.

The provinces of New Brunswick and Nova Scotia together with Upper and Lower Canada were the first to be united. Upper Canada became Ontario while Lower Canada was called Quebec.

Six other provinces have later become part of the federation—Manitoba in 1870, British Columbia in 1871, Prince Edward Island in 1873, Alberta and Saskatchewan in 1905, and Newfoundland in 1949. In addition there are two territories—the Yukon Territory created in 1898, and the Northwest Territories whose boundaries were defined in 1905.

Nova Scotia and New Brunswick had provincial legislatures at the time of union or Confederation. Under the British North America Act those legislatures were continued. The Act also provided for legislatures in Ontario and Quebec and made provision for the setting up of legislatures in any province later admitted to the federation. Canada now has a federal Parliament at Ottawa, ten provincial legislatures, and two territorial governments.

The BNA Act empowered each provincial government to make laws in relation to “municipal institutions in the province”. Under this subsection every province in Canada has established a third form of government known as municipal or local government.

Chapter 2

Federal Government

In Canada's system of government, the people elect candidates who act as their representatives. In addition to voting at election time, there are many other ways in which an individual can attempt to influence decisions of government. These include:

- participation in local groups which are attempting to create better communities,
- active involvement in pressure groups such as trade unions and professional associations which may advocate governmental changes,
- appeal to elected representatives either by active membership in local party organizations, or by direct contact with a Member of Parliament through letters and visits.

The basis of the Canadian system of government is representative democracy and it is practiced at the federal, provincial and municipal levels.

Federal Elections

Canada is divided into electoral divisions or ridings in which representatives are elected to sit in the House of Commons. In each riding, voters' lists are prepared containing the names of all persons who may vote at the election. These lists are posted in public places, such as post offices, before the election so that every person who is entitled to vote can be sure that his name is on the list.

Political groups or political parties have grown out of

the fact that many people have the same ideas on how the business of the country should be handled. These parties usually have a local organization in each riding for the purpose of gaining support for their program.

When the election is announced, the parties hold public meetings in each riding and select a person from among their supporters to stand for election. These candidates are known as "party representatives". Any person may stand for election whether he is supported by a political party or not, provided he is of the prescribed age, a Canadian citizen and not disqualified under the law. To become a candidate in a federal election, an individual must also deposit two hundred dollars which will be returned to him after the election if he receives at least one half of the number of votes cast for the winner.

After the candidates have been chosen, it is customary for them to hold public meetings throughout the riding. At these meetings the candidates outline the programs they will follow and the policies they will support in the House of Commons if they are elected. The meetings give the people an opportunity to decide on the program they like best and the candidate they will vote for at the election.

Prior to the election date, arrangements are made for polling places throughout each riding at which the electors will cast their votes. Officials, called deputy returning officers, are appointed to supervise the conduct of the election at each polling place. They make certain that every person entitled to vote is allowed the opportunity of exercising his franchise (right to vote) without interference. Other election officers, such as poll clerks, are appointed to record the votes and assure the prevention of corrupt practices in registering the vote.

To vote at a federal election, a person must be of legal voting age, must be a Canadian citizen and his name must be on the list of persons entitled under the law to vote.

Voting is by ballot. This is a paper on which the names of the various candidates are printed in alphabetical

order, together with their addresses and occupations. The ballot is folded when passed to the voter and initialed on the back by an official at the poll. The voter is directed to an enclosed compartment where he may mark his ballot in secrecy, placing an "X" in the white space opposite the name of the candidate he prefers. The ballot is then refolded and handed to the deputy returning officer who places it in a sealed ballot box in the presence of the voter.

After the polls are closed, the deputy returning officers count the ballots, making a record of the number of votes cast for each candidate. The candidate receiving the highest number of votes in the riding is declared elected.

Parliament of Canada

The British North America Act provided for a federal government consisting of the Sovereign, the Senate and the House of Commons. Together they are known as the Parliament of Canada.

The federal government is divided into three branches, the executive, the legislative and the judicial.

Under the terms of the British North America Act, executive authority is formally vested in the Sovereign who is represented in Canada by the Governor-General. The Act also provided that a Privy Council, appointed by the Governor-General, should aid and advise him. However, this formal outline of powers does not describe the real exercise of power. In practice, the Canadian constitution invokes the principle of responsible government, whereby the Crown acts on the advice of elected ministers who are responsible to the elected House of Commons. The Sovereign and the Governor-General are therefore symbolic heads of state who embody traditions but who in practice do not exercise executive authority.

Executive Branch

(a) The Sovereign—Her Majesty Queen Elizabeth II is the Queen of Canada.

(b) The Governor-General is the personal representative of the Queen, and is appointed on the advice of the Prime Minister of Canada. His term of office is normally five years. As the representative of the Queen, the Governor-General must give his assent to all legislation passed by the Parliament of Canada before it can become law.

(c) The Prime Minister is the leader of the political party which has the largest number of members elected to the House of Commons. He selects the Ministers of the Cabinet, usually from among the Members of Parliament of his party, occasionally from the Senate.

(d) The Cabinet is in effect the real executive. Constitutionally, it is a Committee of the Privy Council which is provided for in the BNA Act. Privy Councillors are chosen and summoned by the governor-General, on the advice of the Prime Minister. Cabinet ministers head the various departments of government. It is the normal practice for a minister to have a seat in the House of Commons in order that he may report directly to the members of the House.

Legislative Branch

As noted earlier, Parliament consists of the Sovereign (executive authority), the Senate and the House of Commons. The consent of all three is necessary for the passage of legislation.

(a) The Senate is the senior legislative body in Canada. It consists of 102 Senators. Before June 2, 1965 they were appointed for life. Since that date, retirement age is 75 years. Composition of the Senate is on a geographical basis as follows:

Atlantic Provinces

Newfoundland 6

Nova Scotia 10

New Brunswick 10

Prince Edward Island 4

Quebec 24

Ontario 24

Western Provinces

Manitoba 6

Saskatchewan 6

Alberta 6

British Columbia 6

In order to be appointed to the Senate, a person must:

(a) be a British subject;

(b) be at least 30 years of age;

(c) have real property to the value of \$4,000, with real and personal property worth \$4,000 over and above all encumbrances;

(d) be a resident of the province for which he is appointed—and in Quebec must either reside in the constituency for which he is appointed, or have real property in such a constituency.

Senators are selected by the Prime Minister and appointed by the Governor General.

The Senate considers and approves all legislation put before Parliament. If both houses approve, legislation is sent to the Governor General for his signature and then becomes law. If the Senate does not approve of legislation passed by the House of Commons it may either reject a bill or amend it and send it back to the House of Commons with a request for consideration of suggested changes.

Members of the Senate may also initiate legislation themselves except for “money bills” which are bills for

appropriating any part of the public revenue or for imposing any tax upon the people. These bills must be introduced in the House of Commons.

In theory, the Senate is an independent legislative body. But since the House of Commons is the elected chamber and there is a constitutional understanding that the Cabinet is responsible to the Commons rather than the Senate, most legislative activity takes place in the Commons. The Senate examines the implications of legislation generally by criticizing and amending bills without changing their basic content. Some senators are also active on Senate committees and task forces which are entrusted with examining matters of national importance, such as poverty, the state of the publishing industry in Canada and transportation facilities.

(b) The House of Commons consists of 264 Members of Parliament, elected from the various ridings to carry on government business on behalf of all the people. The Speaker is a member chosen for that office by the other Members of Parliament.

The political party having the largest number of elected representatives is asked to form the government, and its leader becomes the Prime Minister. Usually, this party has a clear majority over all other parties in the House. Members elected to the House of Commons from other political groups are referred to as members of the opposition.

The Leader of the Opposition is the leader of the political party having the second largest number of members elected to the House. It is his responsibility to oppose Government measures which he thinks deserve criticism.

The Parliament of Canada is required by law to meet every year to deal with public business. These meetings are known as "sessions" and the number of months of their duration is determined by the amount of business to be considered.

The Cabinet is responsible for submitting the govern-

ment program of legislation to Parliament at each session. Government measures are always introduced in the House by a Cabinet Minister.

Ministers accept and support decisions made at Cabinet meetings. As a group, ministers are responsible to the House of Commons and to the people for their decisions. This is known as the principle of collective responsibility. If a minister refuses to support a Cabinet decision, he must resign.

How Bills are Passed

Legislation is introduced in both Houses in the form of bills, and each piece of legislation or bill is dealt with separately. Bills are of three types. Government bills deal with the legislative program of the Government and are introduced by a minister or Parliamentary Secretary. Public bills may be initiated by any Member of Parliament and deal with the public law of the country. Private bills deal with the rights and privileges of individuals or corporations, and may be introduced into Parliament upon petition.

A bill goes through three steps, known as "readings". The main discussion or debate takes place during the second reading when all members are given an opportunity to voice their opinions on the content of the bill. This free and open discussion, called a "debate", is limited by established rules which govern the conduct of business in the House. The rules are enforced by the Speaker of the House.

When debate on a bill has been completed, and the majority of members is in favour of it, it is said to have passed the House, and is sent to the Senate for further consideration or approval. A government bill is not often defeated in the Commons because both the Cabinet and majority in the Commons belong to the same political party and members adhere to party discipline. In private

meetings of members, known as the caucus, members may complain about their party's policy but, like the Cabinet, once a majority decision has been taken members usually must present a united front to the opposition parties.

If the majority of members is against a government bill, the measure introduced is considered lost and the Prime Minister might ask the Governor General for a dissolution of the House or he might submit his resignation. In such a case a dissolution is granted and a new election is called. If the Prime Minister resigns, the Governor General may summon a member of the House, whom he believes has a sufficient amount of support to form a government or, on advice, he may grant a dissolution and call for a new election.

The Judiciary

The Canadian judiciary, the third element of government, interprets and administers the law. An outline of the system of courts in Canada is contained in Chapter 5, beginning on page 39.

The Public Service

Members of the House of Commons hold office on a temporary basis. At an election the voters may choose to change their representatives and as a result there may be a new Prime Minister, new Cabinet ministers, and a large number of new members in the House. Therefore, to provide for a continuous handling of government business, an organization known as the Public Service (formerly called the Civil Service) has developed.

Professional public servants are paid to carry out the routine business of government in the respective depart-

ments as directed by the ministers. The operations of departments may be questioned and examined by members in the House of Commons and a minister may be called upon to report on any matter concerning his department. The senior public servant in most departments is known as the Deputy Minister. His responsibilities include the administration of his particular department, and the direction of work undertaken by public servants under him.

Public servants are selected for positions on the basis of competitive examination and are promoted on merit.

Federal Responsibilities

The powers, duties and responsibilities of the federal and provincial governments were set out in the BNA Act. Today the federal government is entrusted with power to legislate with respect to peace, order and good government generally, and in particular as follows:

(a) National Defence

The federal government has control over all armed forces of Canada and all matters pertaining to the defence of the country.

(b) Currency and Coinage

All currency and coins, including their manufacture and issue, are controlled by the federal government, and the system is uniform throughout Canada.

(c) Banking

No bank may operate in Canada without first being incorporated by a special Act of Parliament and the law respecting banking is set out in the Bank Act, a federal statute.

(d) Canadian Citizenship

All laws concerned with naturalization and aliens are passed by Parliament. No person may become a citizen of Canada without complying with the requirements laid down by Parliament.

(e) Bilingualism Development

The federal government is responsible for implementing the Official Languages Act, to ensure the appropriate use of French and English as the two official languages of Canada.

(f) Criminal Law

Laws pertaining to crime are uniform throughout the country and are enacted by the federal Parliament.

(g) Postal Service

The postal services throughout Canada are under the federal government. Postal rates are uniform in all provinces and postal officials and employees are paid from the federal treasury.

(h) Industry, Trade, Commerce

Generally speaking, all matters pertaining to interprovincial and export trade as well as the development of industry are under the jurisdiction of the federal Parliament.

(i) International transport and communications.

(j) Navigation and Shipping

The federal government deals with all matters concerning navigation and shipping on inland and coastal waters, and on the high seas insofar as they relate to Canadian vessels; this includes supervision of sea coast and inland commercial fisheries, maintenance of canals, locks, ports, lighthouses and buoys.

(k) Indian Affairs

At the time of printing this booklet, matters relating to Indians and lands reserved for Indians were under federal jurisdiction, as they had been since Confederation. However, in June 1969 the Minister of Indian Affairs and Northern Development proposed a new policy which, if accepted, would result in a gradual "phasing out" of that department's responsibilities regarding Canadian Indians. This would take place only as Indians assumed greater participation in Canadian society, with status, opportunity and responsibility equal to that of other Canadians.

In addition to these specific powers, the federal government also exercises all powers which are not specifically granted to the provinces. These are called "residual powers" and in recent years the growth of a modern industrial and urban society in Canada has caused the federal government to expand its activities into new areas.

For example, new ministries have been established for the protection of consumer rights and for the elimination of regional economic disparities. There is also official encouragement for Canadian arts and letters through such means as the Canada Council and the Canadian Film Development Corporation.

In many cases, federal and provincial jurisdictions overlap and programs are planned cooperatively.

Taxation

The principal source of funds to enable the federal government to carry on public business is taxation.

Each year, the various departments and agencies of government prepare estimates of the amount of money

they will require to carry on their work. From the departmental estimates the Finance Minister is able to prepare a "budget" which he submits to Parliament. In it he suggests ways and means of raising the amount required to pay the necessary expenses of the public service by taxation measures. These measures are presented in the House of Commons. When accepted they are sent to the Senate for concurrence and finally to the Governor General for Royal Assent.

This method of raising funds with which to carry on public business through taxation also applies to provincial governments.

Chapter 3

Provincial Government

The British North America Act provided for a federal form of government. This required a national government to deal with public business affecting the country as a whole, and a government in each province to deal with matters of regional interest.

Structure of Government

In each province there is a provincial legislature to which members are elected from the various electoral ridings of a province. Provincial elections are held, and persons chosen to represent the people, in a manner similar to the federal electoral system.

The provincial governments are divided into executive and legislative branches. The same practices of responsible government, collective responsibility of the Cabinet and party discipline, which were outlined in the description of the federal executive and legislature, apply to the provincial governments.

Executive Branch

(a) Her Majesty the Queen is represented in each province by a Lieutenant-Governor.

(b) The Lieutenant-Governor is the personal representative of the Queen in the province. He is appointed by the Governor General and is the head of the executive branch of the government. He assents to all measures or bills passed by the legislature before they become law.

(c) The Executive Council (Cabinet) consists of the Ministers of the Crown who advise the Lieutenant-Governor. Again, as with the federal government, the Cabinet is the real executive. Ministers are appointed by the Lieutenant-Governor on the advice of the First Minister (Premier) who is the leader of the political party having the support of the largest number of members elected to the Legislative Assembly. The ministers are usually appointed as heads of the various departments of government. The terms "Premier" and "Cabinet" are used in popular speech to refer to the First Minister and to the Executive Council respectively. In some provinces the term "Prime Minister" is now in common usage in referring to the Premier.

Legislative Branch

(a) The Lieutenant-Governor represents the Queen.

(b) The Legislative Assembly is composed of members who have been elected by the people in each riding.

At one time the province of Prince Edward Island had an upper chamber or Legislative Council. The Council was united with the Assembly in 1893 and today each electoral riding in the province returns both a councillor and an assemblyman at an election. Only property holders may vote for councillors.

In the province of Quebec there was also an upper

house, or Legislative Council whose members were appointed for life and who performed functions similar to those of the federal Senate. This Legislative Council was abolished on December 31, 1968.

Functions of the Legislature

The legislature in each province is required by law to meet at least once a year to deal with public business. Sessions may last from a few days to several months depending on the amount of business before the members.

As in the Parliament of Canada, legislation is introduced in the form of a bill. During the debate which follows, all members are entitled to voice their opinions on the contents of the bill. At the end of the debate, if a majority of the members is in favour of the bill it is said to have passed the Assembly. It does not become law, however, until it has been signed by the Lieutenant-Governor as the official representative of the Queen.

If a majority of the members opposes a government measure, the Premier will either submit his resignation or ask the Lieutenant-Governor to dissolve the Assembly. If the Premier resigns, the Lieutenant-Governor may summon another Member of the Assembly whom he considers has enough support in the Assembly to form a government, or, on advice, he may dissolve the Assembly and call for a new election.

The Public Service

The provinces have also developed departments in which employees are selected through a merit system. The civil service, or public service as it is called in some provinces, works on a continuous

basis to carry on the administration of government and put into effect the measures decided upon by the legislature.

The senior civil servant in each of the departments of government is usually called the Deputy Minister, who is the permanent head of the department.

Provincial Responsibilities

Under the Canadian constitution, the provincial legislatures were given control over certain matters. While it is not possible in such a brief survey to mention all of these powers, some of the subjects coming within provincial jurisdiction are:

(a) Education

Provincial governments have control over education within their respective provinces subject to the rights granted to the Protestant and Catholic minorities for denominational schools at the time of union. They may establish any schools that are considered necessary, determine the text books which are to be used, the length of school terms, qualification of teachers, and all other matters connected with the operation of their respective educational systems.

(b) Prisons and Reformatories

Each province exercises complete control over the building, maintenance, and operation of prisons and reformatories within its boundaries. There is, however, a system of federal penitentiaries throughout Canada that is administered and controlled by the federal government.

(c) Hospitals

The provinces have full control over the building, maintenance, and management of all

hospitals (except Marine Hospitals), mental hospitals, charities, and similar institutions situated within their boundaries. While such hospitals and institutions may be built by municipalities or private agencies, they are under provincial supervision and are generally assisted by funds supplied by the provincial legislatures.

(d) Municipal Institutions

All municipalities and municipal institutions in the various provinces are under the control of the provincial governments. Municipal officials have certain powers as pointed out in Chapter 4 on municipal government. These powers, however, are granted to them by acts of the provincial legislatures.

(e) Licensing

The issue of shop, tavern, and other licences to obtain revenue is also controlled by provincial governments.

(f) Solemnization of Marriage

The provincial legislatures may make laws on all matters pertaining to solemnization of marriage and the licensing of persons authorized to perform marriages.

(g) Administration of Justice

The legislature may exclusively make laws in relation to the administration of justice in the province, including the constitution, maintenance and organization of provincial courts—both of civil and of criminal jurisdiction— and including procedure in civil matters in those courts. The judges of the Superior, County and District Courts in all provinces are appointed and paid by the federal government. The presiding judges in the magistrates' and justices' courts are appointed, and paid, under provincial law.

(h) Property and Civil Rights

The provinces make laws pertaining to property and civil rights. The clause in the British North America Act which assigns this responsibility to the provinces has been broadly interpreted by the courts to include intra-provincial production, trade and marketing, wages, hours of labour, workmen's compensation, industrial disputes, trade union legislation, health regulations and insurance legislation. But in many of these areas where the enterprise is subject to federal jurisdiction, the federal legislation applies.

The federal government shares the cost of many existing provincial services in such fields as hospital insurance and diagnostic services, social welfare, recreational and cultural services, education, including occupational training, forest protection programs and agricultural development.

Federal-Provincial Conferences

Many federal-provincial conferences have been called to consider financial matters in order to ensure that each level of government may acquire sufficient funds from tax fields to meet the demands being made upon them in their respective jurisdictions.

Agreements or formulas which are accepted by both levels of government are continually being re-examined and re-negotiated as the needs of the governments change.

Chapter 4

Municipal Government

Since municipal affairs are under the control of the respective provinces, the methods and structures of local governments vary from province to province. Conditions differ in a country as vast as Canada, and efforts to meet these conditions must necessarily result in a wide variety of forms in the field of municipal government.

In a study of this kind, it is only possible to deal with the structure of municipal government as it applies generally across the country. In no case will the outlined conditions apply to any given municipality or province. The student of municipal government in Canada should ascertain the points of difference that apply to his particular municipality through local classes of instruction or from municipal officials.

Formation of Municipalities

In every province, units of local government have been established under a variety of names, such as municipalities, municipal districts, parishes, townships, and districts. They may change as conditions vary. For example, the growth of population in a given area, or the desire for local improvements and facilities, schools, roads, and other public services may convince the residents of the need for establishing a separate unit of government. On the other hand, perhaps the residents may wish to take a more active part in their

own affairs, rather than continue under the jurisdiction of a municipal body located some distance away.

Approval for a change is usually obtained from the provincial government by submitting a petition signed by a number of householders in the district. As a rule, the petition includes a description of the area, the number of householders living within the area and evidence that a substantial percentage of these householders are in favour of incorporation. The numbers and percentages vary in different provinces, but the system is generally recognized. If the request is approved by the provincial authorities, the municipality will be duly incorporated under the laws of the province.

Types of Municipalities

There are two general types of municipalities, urban and rural. Urban municipalities include the more populous cities and towns, while the rural municipalities may be counties, parishes, townships, and municipal districts of varying size and extent.

Urban municipalities are usually governed by a mayor, elected by the people at large, and an elected council. Rural municipalities elect their own local councils to perform limited functions. The largest rural divisions, the counties, are governed by councils composed of the mayors or reeves of the towns, townships and villages within them. The chief officer of the county is the warden, who is elected by the councillors from among their own members. In recent years there has been a trend towards the development of regional and metro government structures which co-ordinate the activities of a number of municipalities, including urban ones.

In the government of these municipalities, the rule of the majority is observed in the conduct of public business, and the right of every individual to express views on municipal affairs is recognized.

Municipal Elections

As in federal and provincial governments, representatives are chosen by the people to carry on public business. The selection of such representatives is usually undertaken annually, generally in November or December at a public meeting which is known as the nomination meeting. Since within limits the local authorities are free to set the day, it naturally follows that there is a considerable variation in the date from one municipality to another.

The nomination meeting is widely advertised throughout the municipality and is normally presided over by the municipal clerk or a presiding officer who is especially selected for this purpose.

Nominations are received for the various municipal offices by the presiding officer or clerk during a specified time, extending from one hour in some municipalities to several hours during the nomination day in others.

Nominations, usually written, as a rule contain the name, address, and occupation of the proposed candidate as well as the office for which he or she is nominated. The nomination papers are usually signed by at least two qualified electors within the municipality.

In most cases, a candidate must indicate his willingness to accept office, and in some provinces is required to post a deposit of money as evidence of his good faith. Should a candidate withdraw his nomination, he forfeits the deposit to the municipality. Otherwise, it is returned to him after the election.

If more than one candidate is nominated for any municipal office, an election is held. This gives the electors an opportunity to indicate their preference. The day upon which the voting takes place is normally fixed by law, and generally is within one to two weeks after nomination day. Voting at elections is by secret ballot. The ballot is normally printed and contains the names of the various candidates in alphabetical order, with their addresses and occupations. Separate ballots are generally used for the

office of reeve or mayor and the office of councillor or alderman.

The units of representation in a municipality are smaller than the provincial or federal constituencies. Officials usually live in their wards and are often well known by the voters.

Duties of Municipal Officers

The elected representatives of the people are commonly referred to as the municipal council, consisting of a mayor or reeve and a varying number of aldermen or councillors. The mayor or reeve is the chief municipal officer.

In a rural area, the council may be composed of a reeve and three or four councillors, while in a large city the council may consist of a mayor and as many as fifteen or twenty aldermen. The principal of having elected representatives conduct public business on behalf of all the citizens is the same for both. Service on a municipal council is usually voluntary.

At the first meeting following its election, it is customary for the council to divide itself into a number of committees, charged with the responsibility of looking after one or more aspects of routine municipal business, such as finance, sanitation, sewage, roads, fire and police departments. These committees, after making a survey of requirements, report to the council as a whole on a program of work which is considered desirable for the ensuing twelve months. The council as a whole, however, is the final authority and at regular meetings approves or rejects the actions of the committees and deals with matters which fall within the scope of the whole council.

Meetings of Council

The minimum number of meetings that will be held during the year by the council is usually determined by law. In small municipalities the meetings are normally held monthly, while in other places where there is a large volume of business, they are held more frequently. In addition, the mayor or reeve may summon the council to meet as often as is deemed necessary for the efficient conduct of public business. Committee meetings are usually more frequent and more informal.

Anyone may attend and listen to the proceedings of meetings of council. If a citizen or group of citizens desires the council to undertake a certain course of action, they may present their request by submitting a written petition, or they may attend a meeting of the council in person and, with permission, present their views verbally.

Ordinary matters of business may be decided by resolution of council with a simple majority vote. More important decisions may be drawn up in the form of by-laws passed by the majority of council and in many cases given publicity before becoming law. When the matter is of major importance, such as might involve the expenditure of large sums of public money, it may be referred to the electors, who will be asked to vote on whether or not they approve of the proposed outlay of funds.

Members of the municipal council may be paid an honorarium annually for their services to the municipality. The amount varies widely and is granted to reimburse the member of council for loss of time from his private business. In some municipalities it takes the form of a flat sum annually, while in others council members are paid on the basis of the number of meetings they attend during the year.

Powers of Municipal Councils

The powers of municipal councils are bestowed upon them by laws passed by the provincial legislatures. These powers vary somewhat from province to province, depending on local conditions and the necessity of meeting problems which relate to particular areas. Generally, a municipal council is empowered to pass by-laws on all matters within its jurisdiction as set out in the provincial statutes establishing the municipality. These include such matters as public order, health and welfare services, sewage, sidewalks, roads, police, fire protection, public buildings, traffic, regulation of the constructions of buildings and licensing.

Sources of Revenue

To finance its program, the municipal council is given the right to collect taxes from the residents of the municipality. The normal method of taxation is a direct tax on property.

Each year the council draws up an assessment roll which shows the estimated value of all property in the municipality and prepares estimates of the amount of money required to carry on public business for the next twelve months. From these two totals, the council is able to "strike a tax rate" of so many cents on every dollar of the estimated value of property. Based on these figures, tax bills are prepared and delivered to all property owners, showing the amount of taxes they are required to pay for the maintenance of services during the year.

Other sources of revenue lie in the power bestowed upon municipal councils by provincial governments to issue licences, such as business, peddling, and dog licences. Further sources are subsidies or grants made by provincial governments to meet the general costs of the municipal government or in support of specific undertakings

such as education, the construction of public works or buildings, hospitals, and charitable institutions.

Appointed Municipal Officers

As the elected officers of the municipal government are not in a position to devote their entire time to municipal business, the council appoints certain officials, part-time or full-time, to carry out its instructions and to handle routine matters. These may include:

A municipal clerk, responsible for keeping the minutes of all council meetings, preserving all municipal records, and fulfilling other duties which may be assigned to him.

A municipal treasurer, responsible for the bookkeeping of the municipality and the receipt and disbursement of public funds under the direction of the council. (In some municipalities this office is combined with that of the clerk.)

Assessors, responsible for assessing the value of property within the municipality for tax purposes and preparing the assessment roll.

Municipal auditors, appointed to audit books maintained by the treasurer.

Also among the appointed officials are firemen, policemen, tax collectors and sanitary inspectors.

The number and variety of appointed officials will vary among municipalities, since the requirements of a large city are greater than those of a small rural area. The positions of most appointed officials are normally regarded as permanent. Where the municipality is of sufficient size to warrant it, the salaries enable the officials to devote their whole time to their duties.

School Boards

Closely associated with the work of the municipal council, but independent of it, are school boards, established for the purpose of administering affairs pertaining to education. School board members are usually elected by the citizens for a specific term of office. They are charged with the responsibility of handling all matters relating to primary or secondary education, including the appointment of teaching staff, salaries, school supplies, equipment, and the maintenance of school property. The meetings of a school board are presided over by a chairman, and matters coming before the board are decided by a majority vote.

Chapter 5

The Judiciary

In Canada a part of the structure of government is the judiciary, or the systems of courts. The provincial and federal governments both have power to make laws, while disputes under the law and the interpretation of laws are the responsibility of the Courts.

Laws in Canada

There are two main types:

(a) *Criminal Laws* deal with the commission of crimes, such as murder, arson, rape and theft. These laws are enacted by the federal Parliament and apply to all of Canada. The federal government also assumes responsibility for bringing accused persons to trial.

(b) *Civil Laws* are concerned with property and civil rights and are enacted largely by the provincial legislatures. As a result they may vary from one province to another. In Quebec, for example, civil law has been codified with the French Civil Code serving as a model. This differs in many respects from English common law, which prevails in the other provinces. Despite certain technical differences, the laws affecting everyday life are similar. Efforts are being made by the Canadian Bar Association to increase the similarities.

Laws enacted by the provincial legislatures include

regulation of highway traffic, to establish, among other things, speed limits on all provincial highways.

Municipal or civic authorities are empowered to pass laws known as by-laws, which apply to a particular municipality only, under authority given to the council by the provincial legislatures. Examples are by-laws dealing with parking regulations on city streets, control of traffic and licences for peddling.

To try cases involving breaches of the laws outlined above, a system of courts has been established throughout Canada. Minor offences and breaches of the law are heard in magistrates' courts in all the provinces. They are presided over by magistrates, who are appointed by the provincial government. They deal with breaches of the traffic laws, petty theft, and minor domestic cases. They may, in some instances, try more serious cases with the consent of the accused.

Courts of Law

Circuit, County, or District

Courts have jurisdiction within a county or district and may deal with criminal and civil cases. They are presided over by a judge, appointed by the federal government, whose salary is paid from the federal treasury. Such judges retire at 75 years of age.

Division Courts are also established in some provinces for the purpose of hearing civil cases only. Although presided over by judges, the procedure in these courts is less formal than in others.

Provincial Supreme Courts are the high courts of justice, one in each province known by such designations as the Supreme Court, the Superior Court, and Court of Queen's Bench. Such a court has two major functions:

- (i) it hears appeals from lower courts within the province.
- (ii) It has unlimited jurisdiction in both civil and criminal cases.

In criminal cases before these courts, the accused may have the right to elect whether he will be tried by a judge alone, by a magistrate, or by a judge and a jury. A jury is a body of citizens who are selected to hear cases and to decide the guilt or innocence of an accused person. They are instructed on points of law by the presiding judge, who, for their guidance, sums up the evidence given. It is up to the jury to decide on questions of fact and they are not required to accept the view of the judge on the evidence.

The Supreme Court of Canada

is a federal court which normally holds three sessions each year in Ottawa. It is made up of nine judges—the Chief Justice of Canada, and eight puisne judges. Judges are appointed to the age of 75 years. This is the court of final resort in Canada, and generally hears appeals from provincial Supreme Courts and the Exchequer Court.

The Exchequer Court is also a federal court. It hears cases dealing only with financial matters involving the federal government. It holds sittings throughout the country and hears such cases as claims against the Crown by persons or companies, and vice versa. It is also concerned with cases involving such matters as patents, copyrights, federal tax matters and trademarks. As in the case of the Supreme Court of Canada, judges are appointed, with the retiring age set at 75.

(Note: At the time of printing, a bill is being introduced to change the name to *the Federal Court*, with increased responsibilities.)

The Admiralty Court is a division of the Exchequer Court and decides civil cases involving ships, damages at sea, and matters of that nature.

All these courts, from magistrates' courts in villages

and towns, to the Supreme Court of Canada, have been established to ensure that the freedom and security of all persons residing in Canada are not endangered. Every person in Canada with any proper case has access to these courts. Legal aid may be available to citizens who cannot afford to obtain the services of a lawyer.

Law Enforcement

Police forces throughout the country are maintained to safeguard the rights of every citizen and apprehend persons who violate the law. There are no secret police in Canada. Police officers are public servants and can be relied upon to give ready assistance to any person requiring their aid. Generally speaking, the police forces in Canada are:

(a) Royal Canadian Mounted Police, maintained by the federal government to assist in the enforcement of federal laws. This force has jurisdiction throughout Canada. In all provinces and territories, except Ontario and Quebec, the RCMP also acts as the provincial police.

(b) Provincial police, established by the provincial governments in Quebec and Ontario, are responsible for law enforcement, crime prevention and apprehension of criminals within the borders of their particular province, except in those areas that are served by municipal police forces. They are also in charge of traffic control on provincial highways and the investigation of traffic accidents on these highways.

(c) Municipal police preserve law and order in municipalities. They are paid from the municipal treasury and are normally limited in their responsibilities to the enforcement of law, the prevention

of crime and the apprehension of lawbreakers within the limits of the city or town. These police forces vary in size from several thousand in cities like Montreal and Toronto to one constable in a small town or village.

(d) Company police forces are employed by some large companies, such as railways or large industrial plants for the protection of their property. Normally these special police forces have no jurisdiction beyond the limits of that property. Their activities are closely governed by federal or provincial statutes.

All these police forces work very closely together in the maintenance of law and order.

Suggested Reading

An Act for the Recognition and Protection of Human Rights and Fundamental Freedoms, *Statutes of Canada*, 8-9 Elizabeth II, Queen's Printer, Ottawa, 1960, chap. 44, pp. 519-522.

An Act respecting the Franchise of Electors and the Election of Members of the House of Commons, *Statutes of Canada*, 8-9 Elizabeth II, Queen's Printer, Ottawa, vol. 1, chap. 39, 1960, pp. 237-482. See also: Electoral Boundaries Readjustment Act, *Statutes of Canada*, 13 Elizabeth II, Queen's Printer, Ottawa, 1965, chap. 31, pp. 215-224.

Agnew, William Henry, *A guide to government in Canada*. Toronto, T. Nelson (Canada), 1962, 152 p.

Aron, Raymond C.F., éd., *Démocratie à l'épreuve au XXe siècle. Colloques de Rheinfelden, 20-26 sept. 1959. Rapports et discussions*. Paris, Calmann—Lévy, 1960.

Bell, Daniel, *The reforming of general education; the Columbia College experience in its national setting*. With a foreword by David B. Truman. New York, Columbia University Press, 1966, 320 p.

Bissonnette, Bernard, *Essai sur la constitution du Canada*. Montréal, Editions du Jour, 1963. 199 p.

Blishen, Bernard R. et al. ed., *Canadian society: sociological perspectives*. 3d ed. Toronto, MacMillan of Canada, 1968. 877 p.

Cairns, Alan C., "The Electoral System and the Party System in Canada, 1921-1965", in *Canadian Journal of Political Science*, 1, 1, March 1968, pp. 55-80.

Canada. Dominion Bureau of Statistics. *Canada one hundred 1867-1967*, Ottawa, Queen's Printer, 1967. 512 p.

Canada. Dominion Bureau of Statistics. *Canada year book*, Ottawa, Queen's Printer, 1968. 1277 p.

Canada. Law and statutes. *A consolidation of the British North America Acts 1867 to 1965*. Prepared by Elmer A. Driedger. Queen's Printer, Ottawa, 1967. 50 p.

Canada. *Royal Commission on Government Organization Reports*. Queen's Printer, Ottawa, 1962-1963. Chairman: J. Grant Glassco.

Corry, James Alexander and J.E. Hodgetts, *Democratic government and politics*. 3d ed., rev. Toronto, University of Toronto Press, 1963. 691 p.

Courtney, John C., ed., *Voting in Canada*. Scarborough, Ontario, Prentice-Hall of Canada, 1967. 210 p.

Creighton, Donald G., *The road to Confederation: the emergence of Canada, 1863-1867*. Toronto, MacMillan, 1964. 489 p.

Crépeau, Paul-André and C.B. MacPherson, eds., *The future of Canadian federalism. L'Avenir du fédéralisme canadien*. University of Toronto Press, 1965, 188 p.

Dawson, Robert MacGregor, *The government of Canada*. 4th ed. rev. by Norman Ward. Toronto, University of Toronto Press, 1966, 610 p.

Dawson, Robert MacGregor, *Democratic government in Canada*. Rev. ed. Toronto, University of Toronto Press, 1963, 194 p.

Dawson, William P., *Procedure in the House of Commons*. Toronto, The University of Toronto Press, 1962, 271 p.

Deutsch, J.J., "Crisis in local government: horse and buggy governments for our exploding cities." *Canadian business*, 40, 4, April 1967, 66-67: 90.

Dumazedier, Joffre, *Toward a society of leisure*. Translated from the French by Stewart E. McClure. Foreword by David Riesman. New York, Free Press, 1967. 307 p.

Engelmann, F.C. and Mildred A. Schwartz, *Political parties and the Canadian social structure*. Scarborough, Ontario, Prentice-Hall of Canada, 1967, 277 p.

Fox, Paul W., ed., *Politics: Canada: problems in Canadian Government*. 2d ed. Toronto, McGraw-Hill Co. of Canada, 1966. 396 p.

Gordon, Walter Lockhart, *A choice for Canada: independence or colonial status*. Toronto, McClelland and Stewart, 1966. 125 p.

Hawkins, Gordon, ed., *Order and good government*. 33rd Couchiching Conference, Toronto. Published for Canadian Institute on Public Affairs by University of Toronto Press, 1965. 155 p.

Horowitz, Gad, *Canadian labour in politics*. Toronto, University of Toronto Press, 1968. 273 p.

Institut canadien des affaires publiques. *Le fédéralisme: rapport de la deuxième conférence annuelle de l'Institut canadien des affaires publiques organisée avec le concours de la Société Radio-Canada*, Ste. Adèle Lodge, Ste Adèle, P.Q., du 21 au 25 septembre 1955. Montréal, 1955. 64 p.

Institut canadien d'éducation des adultes. *Les citoyens et la législation*. Education des Adultes, 1966. (Les cahiers de l'I.C.E.A. no. 2).

Kornberg, Allan, *Canadian legislature behaviour; a study of the 25th Parliament*. Toronto, Holt, Rinehart and Winston, 1967.

Lewis, David and Frank Scott, *Make this your Canada; a review of C.C.F. history and policy*. With a foreword by M.J. Coldwell. Toronto, Central Canada Pub. Co. 1953. 223 p.

Loewenstein, Karl, *Political power and the government process*. With a new postscript by the author. 2d ed. Chicago, University of Chicago Press, 1965. 464 p.

MacKay, Robert Alexander, *The unreformed Senate of Canada*. Rev. ed. Toronto, McClelland. 1963. 216 p.

Norman, McLennan Rogers, "Federal influences on the Canadian Cabinet" in *Canadian Bar Review*, II, 2, Feb. 1933, pp. 103-121.

Oliver, Michael K., ed., *Social purpose for Canada*. Toronto, The University of Toronto Press, 1961. 472 p.

Rodriguez, V.M.H., *Fundamental rights and freedoms in Canada*. Montreal, Canadian Jewish Congress, 1968, 114 p.

Rotstein, Abraham, ed., *The prospect of change; proposals for Canada's future*. With a foreword by Northrop Frye. Toronto, New York, McGraw-Hill, 1965. 361 p.

Rousseau, Jean-Jacques. *Social contract*. Translated by Willmoore Kendall, Chicago Ill., Regnery, 1960.

Rowat, Donald Cameron, ed., *Basic issues in public administration*. New York, MacMillan Co., 1961. 500 p.

Rowat, Donald Cameron, ed., *The ombudsman, citizen's defender*. 2d ed. London, Allen and Unwin, 1968. 384 p.

Rowat, Donald Cameron, *Your local government; a sketch of the municipal system in Canada*. Toronto. The MacMillan Company of Canada Limited. 1965. 148 p.

Schwartz, Mildred A., *Public opinion and Canadian identity*. Berkeley and Los Angeles, California, University of California Press, 1967. 263 p.

Smiley, Donald V., *The Canadian political nationality*. Toronto, London, Methuen, 1967. 142 p.

Tarnopolsky, Walter Surma, *The Canadian Bill of Rights*. Toronto, The Carswell Company Limited, 1966. 246 p.

Ward, Norman, *The public purse; a study in Canadian democracy*. Toronto, The University of Toronto Press, 1964. 334 p.

Wilson, John, "Politics and social class in Canada: the case of Waterloo South" in *Canadian Journal of Political Science*, 1, 3, Sept. 1968. pp. 288-309.

Young, Walter Douglas, "The Peterborough by-election: the success of a party image", in *The Dalhousie Review*, 40, 4, Winter 1960-61, pp. 505-519.

Index

- Admiralty Court 41
Advisory Council, *see* Executive Council
Agriculture 30
Alberta 11, 17
Aliens 22
Armed forces 21
Arrest, freedom from 6
Assemblemen 26
Assessment roll 36, 37
Assessors 37
- Ballot 14, 15, 30
Ballot box 15
Bank Act 21
Banking 21
Bilingualism 9
Bills 17, 18, 19, 27
British Columbia 11, 17
British North America Act 5, 10, 11, 15, 16, 25
British subject 17
Budget 23
By-laws 35, 40
- Cabinet, federal 16, 18, 19, 20
Canada Council 23
Canadian Bill of Rights 6
Canadian Broadcasting Corporation 7
Canadian Film Development Corporation 23
Canadian Radio-Television Commission 7
Candidates, federal 14, 15
Candidates, municipal 33
Chief Justice of Canada 41
Circuit courts 40
Citizenship 22
Civil cases 40, 41
Civil Code, French 39
Civil laws 39
Civil Service, *see* Public Service
Coinage 21
Commerce, *see* Industry, Trade and
Common Law, English 39
Company police forces 43
Confederation 23
Constituency 17
Constitution 21, 28
Councillors 26, 34
Counties 32
Courts, 40
 Admiralty 41
 Circuit 40
 County 29, 40
 District 40
 Division 40
 Exchequer 41
 Federal 41
 Justices' 29
 Magistrates' 29
 of Queen's Bench 40
 Superior, provincial 29, 40
 Supreme, of Canada 40
 Supreme, provincial 40
 System of 37-39
Crime, laws pertaining to 22
Crime prevention 42
Criminal cases 41
Criminal laws 39
Currency 21
- Debates 19, 27
Departments, federal 21, 23
Departments, provincial 25, 27, 28
Deputy Minister, federal 21
Deputy Minister, provincial 28
Deputy returning officers 14, 15
Discrimination, freedom from 8
District courts 40
Division courts 40
- Education 28, 37, 38
Election 13, 14
Election officers 14, 15
Elections—
 Federal 13-15, 18, 25
 Municipal 33, 34
 Provincial 25
Electoral divisions, *see* Ridings
Electors 29, 32
Enterprise, freedom of 8
Estimates, federal 23
Estimates, municipal 36
Exchequer court 41
Executive branch, federal 16
Executive branch, provincial 25
Executive Council 26
- Federal courts 41
Federal elections 13, 14, 15, 18

Federal government 5, 10, 13-24
 Agencies 23
 Department 20, 21, 23
 Executive branch 16
 Legislative branch 16
 Responsibilities 21
 Federal-Provincial conferences 30
 Federal taxes 23
 Finance Minister 23
 First Minister, *see* Premier
 Franchise 14
 Freedoms, basic 6

 Government bills 19
 Government party 18
 Governor General 16
 Grants, *see* Subsidies

 Hospitals 28, 29
 House of Commons 13-21
 Householders 32

 Incorporation, municipal 32
 Indian Affairs 23
 Industry, Trade and Commerce 22

 Judges 40, 41
 Judges, *puisne* 41
 Judiciary 39-42
 Jury 41
 Justice, administration of 29
 Justices' courts 29

 Law enforcement 42, 43
 Laws 39-40, 43
 Civil 39
 Criminal 39
 Leader of the opposition 18
 Legislative Assembly 26, 27
 Legislative branch, federal 16
 Legislative branch, provincial 26
 Legislative Council (Quebec) 27
 Licensing 29
 Lieutenant-Governor 26, 27
 Local government, *see* Municipal government

 Magistrates 40, 41
 Magistrates' courts 40, 41
 Majority, rule of 10, 26, 32
 Manitoba 11, 17
 Marriage, solemnization of 29
 Mayor 32, 34
 Meetings—
 Nomination 33
 Public 14, 33
 Members of Legislatures 25-27
 Members of Parliament 18-21

Members of Parliament 18-21
 Mental hospitals 29
 Ministers, federal 16, 19, 21
 Ministers, provincial 26, 27
 Money, deposit of 14, 38
 Money, public 35
 Movement, freedom of 7
 Municipal auditors 37
 Municipal clerk 37
 Municipal committees 34, 35
 Municipal councils 32, 34, 35-36
 Municipal districts 31, 32
 Municipal elections 33-34
 Municipal government 11, 31-32
 Municipal institutions 29
 Municipal nominations 33
 Municipal officers 34, 37
 Municipal officials 29
 Municipal police 42
 Municipal revenue 36-37
 Municipal taxes 36-37
 Municipal treasurer 37
 Municipal treasury 42
 Municipalities 29, 31-32, 34-37

 National defence 21
 Naturalization 22
 Navigation 22
 New Brunswick 11, 17
 Newfoundland 11, 17
 Newspapers 7
 Nomination day 33
 Nomination meeting 33
 Northwest Territories 11
 Nova Scotia 11, 17

 Offences, minor 40
 Official Languages Act 9, 10
 Ontario 11, 17, 42
 Opposition 18

 Parishes 31
 Parliament of Canada 11, 16, 17, 19, 22
 Parliament of Canada, Members of 16
 Parliament of Canada, sessions of 18
 Penitentiaries 28
 Petitions 19, 32, 35
 Police—
 Company 43
 Municipal 42
 Provincial 42
 Royal Canadian Mounted 42
 Political meetings 14
 Political parties 8, 10, 13, 18
 Political parties, freedom of choice respecting 8, 13
 Poll clerks 14
 Polling places 14

- Postal rates 22
- Postal service 22
- Premier 26, 27
- Presiding officer 33
- Press, freedom of 7
- Prince Edward Island 11, 17
- Prisons 28
- Privy Council, committee of 16
- Privy Council, members of 16
- Property 8, 36
- Property, tax on 36
- Property owners 36
- Provincial courts 29
- Provincial elections 25
- Provincial government 11, 24, 25-30
 - Departments 27
 - Executive branch 25
 - Legislative branch 26
 - Powers of 28
 - Structure of 25-26
- Provincial highways 40
- Provincial legislatures 26, 27
- Provincial legislatures, members of 25, 26, 27
- Provincial legislatures, sessions of 27
- Provincial police 42
- Provincial taxes 24
- Public bills 19
- Public funds 35
- Public health 25
- Public meetings 14
- Public revenue 18
- Public service 20

- Quebec 11, 17, 42
- Queen's Bench, court of 40

- Radio 7
- Reeve 32, 34
- Reformatories 28
- Religion, freedom of 7
- Representative government 10
- Representatives—
 - Federal 13, 14
 - Municipal 33
 - Party 10
 - Provincial 25, 26

- Revenue, sources of 23, 24, 36
- Ridings, federal 13, 14, 18
- Ridings, provincial 25
- Rights 5-10
- Royal assent 24
- Royal Canadian Mounted Police 42
- Rural municipalities 32

- Saskatchewan 11, 17
- School boards 38
- Schools 28
- Schools, denominational 28
- Senate 16, 17, 18, 24
- Shipping 22
- Sovereign 15, 16
- Speaker of the House of Commons 18, 19
- Speech, freedom of 7
- Subsidies 36
- Superior court, provincial 40
- Supreme court of Canada 41
- Supreme courts, provincial 40

- Tax rate, municipal 36
- Taxes—
 - Federal 23
 - Municipal 36-37
 - Provincial 24
- Television 7
- Townships 31, 32
- Trade, *see* Industry, Trade and commerce
- Traffic accidents 42
- Traffic control 42
- Treasury, federal 40
- Treasury, municipal 40

- Urban municipalities 32

- Voters 14
- Voters' lists 13-15
- Voting—
 - Federal 14-15
 - Municipal 33
 - Provincial 25

- Yukon 11

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